



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, २४ अक्टूबर, १९६७/ २ कार्तिक, १९६८

GOVERNMENT OF HIMACHAL PRADESH ZILA PARISHAD, KULU NOTIFICATION

Kulu, the 2nd August, 1967

No. 905.—In exercise of the powers conferred upon the Zila Parishad under section 99 (1) of the Punjab Panchayat Samitis and Zila Parishad Act, 1961 the Zila Parishad Kulu, has framed following bye-laws for its Standing Committees:—

1. *Number of Standing Committees of Zila Parishad.*—Zila Parishad shall constitute the following Standing Committees namely:—

- (a) Standing Committee for Finance and Taxation (hereinafter referred to as Standing Committee No. I).
- (b) Standing Committee for Agriculture Production, Animal Husbandry, Minor Irrigation, Power, Communications and Works (hereinafter referred to as Standing Committee No. II).

(c) Standing Committee for Education, Social Welfare, Public Health and Sanitation including Rural Water Supply, Cottage Industries, Co-operatives and Housing (hereinafter referred to as Standing Committee No. III).

2. As Constitution of Standing Committees.—(1) Standing Committee No. I shall be constituted as follows:—

- | | |
|-------------------|---|
| (i) Chairman .. | Chairman of the Zila Parishad. |
| (ii) Secretary .. | The Secretary of the Zila Parishad. |
| (iii) Members .. | Not less than five Members to be appointed in the manner laid down hereafter. |

(2) Standing Committee No. II shall be constituted as follows:—

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|-------------------|---|
| (i) Chairman .. | Vice-Chairman of Zila Parishad. |
| (ii) Secretary .. | District Agriculture Officer. |
| (iii) Members .. | Not less than five Members to be appointed in the manner laid down hereafter. |

(3) The Standing Committee No. III shall be constituted as follows:—

- | | |
|-------------------|---|
| (i) Chairman .. | To be appointed in the manner hereinafter laid down. |
| (ii) Secretary .. | Secretary of the Zila Parishad. |
| (iii) Members .. | Not less than five Members to be appointed in the manner laid down hereafter. |

(4) No person may serve as the Chairman of more than one Standing Committee.

(5) No person may, ordinarily, serve as a Member of more than one Standing Committee.

(6) One at least of the Members of every Standing Committee should be a person belonging to the Scheduled Castes/Tribes.

(7) One at least of the Members of the Standing Committee for Education, Social Welfare, etc., must be a woman.

(8) The Chairman and Members shall hold office for one year from the date of their appointment. In the second and third year of the Zila Parishad's existence the appointment of Members of Standing Committees shall be held at such a date as to allow the new Members to take their seats as members as soon as the term of office of their predecessors has expired. An outgoing Member of a Standing Committee shall be eligible for re-appointment.

3. Notice of meeting.—The Chairman of Zila Parishad shall, as soon after, the Zila Parishad has been fully constituted, call a meeting of all its Members including co-opted, associate and *ex-officio* Members in the office of the Zila Parishad on a date and time to be specified in the notice, for the selection of Members who are to constitute the Standing Committee.

The notice of the date, time and place of the meeting shall be given to Members not less than 7 clear days previous to the day of meeting.

4. Mode of service of Notice.—The notice shall be sent by post, or by such other mode as the Chairman may consider expedient, to every Member of the Zila Parishad as his ordinary place of residence.

Such notice shall also be published by posting it on a notice-board in the office of the Zila Parishad.

5. Chairman or Vice-Chairman to preside.—The meeting shall be presided over by the Chairman, and, in his absence, by the Vice-Chairman.

6. Quorum for the meeting.—A simple majority of the total number of elected and co-opted members of the Zila Parishad will constitute the quorum for such meetings.

7. Selection and appointment of the Chairman of Standing Committees II and III.—(1) The Chairman shall first call upon Members to propose and second the names of Members for the Chairmanship of Standing Committee No. III.

If only one name is proposed and seconded, the person named shall be deemed to have been duly appointed as Chairman of this Committee.

If more than one name is proposed and seconded by Members, the Chairman shall call upon the elected and co-opted Members present to State their preference by show of hands and the person securing the largest support shall be deemed to have been duly appointed. In the event of tie between two candidates securing the maximum number of votes, the Chairman shall decide between them by drawing lots.

(2) The Chairman shall exercise a second or casting vote.

8. Selection of Members of Standing Committee.—Subject to the provisions of bye-law 2, Members of all Standing Committees shall be selected and appointed in the manner laid down in bye-law 7 (1), and on the same day that the Chairman of Standing Committee III is selected.

9. Casual vacancies how to be filled.—When the place of Member or Chairman of a Standing Committee falls vacant by death, resignation or otherwise, a new Member or Chairman, as the case may be, shall be nominated by the Chairman of the Zila Parishad, from amongst the Members and in consultation with the remaining Members of the Standing Committee in which the vacancy has arisen.

10. Powers and functions of Standing Committees.—Every Standing Committee shall, in relation to the subject assigned to it in statements I and II, exercise such powers and perform such functions as are given in the said statements.

11. Number of regular meetings to be held and where.—(1) Standing Committees shall meet at least once a month.

(2) Meetings shall be held in the office of the Zila Parishad.

The date and hour for meetings shall be fixed by the Chairman of the Standing Committee and a notice of at least 7 clear days should be given to Members before a meeting is called.

(4) An agenda shall be prepared by the Secretary of the Committee with the approval of the Zila Parishad; Chairman and copy of this agenda shall be sent to each Member alongwith the notice of the meeting.

12. Special meetings of Standing Committees.—The Chairman of Zila Parishad may at any time call a special meeting of the Standing Committee and shall do so within a week of the receipt of a requisition stating the business to be transacted signed by majority of Members of a Standing Committee. The provisions in bye-law 11 (2), (3) and (4) shall apply to such meetings also.

13. The Conduct of meetings.—Every meeting of a Standing Committee shall be presided over by its Chairman and in his absence, the Members present shall choose from amongst themselves a Chairman for the occasion.

14. No business shall be transacted at any meeting of a Standing Committee unless the majority of its Members are present.

15. (1) Whenever there is a difference of opinion between Members of a Standing Committee on any item of the agenda before it, the decision of the majority of Members present shall prevail; and when opinion is equally divided on any such issue, the Chairman shall have and exercise a second or casting vote and his decision shall prevail.

(2) Associate and *ex-officio* Members shall not vote, but may participate in the discussion.

16. Every subject which can be disposed of by a Standing Committee must first be considered by the Standing Committee of the subject concerned and, if finance is involved, decided in consultation with the Standing Committee for Finance and Taxation. In the event of there being a difference of opinion on any matter between two or more Standing Committees, the matter shall be placed before the Zila Parishad at the earliest meeting by the Secretary of the Zila Parishad, for decision.

17. Joint meetings of Standing Committees shall be presided over by the Chairman or Vice-Chairman of the Zila Parishad or if both are absent, by any Member chosen for the purpose by the Members present at such joint meeting.

18. In any case in which two or more Standing Committees have passed conflicting decisions and such conflict has not been resolved by a joint meeting of such Standing Committees, the Secretary shall place the matter before the Zila Parishad and pending its decision, he shall withhold all action in regard to the matter at issue.

19. Every Standing Committee may for transacting its business and for carrying out the purposes for which it is constituted, utilise the services of the staff of the Zila Parishad.

20. Subject to the provisions contained in the foregoing bye-laws the provisions contained in the Punjab Panchayat Samitis and Zila Parishads (Conduct of Business) Rules, 1961, shall, so far as may be applicable, apply *matatis mutandis* to the conduct of business of a Standing Committee.

21. (1) The proceedings of the meetings of a Standing Committee shall be recorded in a Minute Book by the Secretary concerned and shall be signed by the presiding member immediately after the meeting and, if this is not, for any reason, possible, on the day after the meeting.

(2) For joint meetings of two or more Standing Committees a separate Minute Book shall be maintained by the Secretary of the Zila Parishad and such proceedings shall be signed by the Presiding Member immediately after the meeting and if this is not, for any reason, possible, then on the day after the meeting.

22. (1) It shall be the duty of the Secretary of the Zila Parishad to report to the Zila Parishad, all decisions taken by the Standing Committees, separately or jointly, at the next earliest meeting of the Zila Parishad, alongwith a certificate stating, in respect of each decision whether it:—

- (a) is within the competence of the Standing Committee or Committees, as the case may be;
- (b) is for information or orders; or
- (c) should be set aside on the ground that it is against law or rules or the instructions or policy laid down by Government.

(2) In the case of a decision which was not within the competence of the Standing Committee/Committees, the Zila Parishad may, if the decision is otherwise sound:—

(a) give its approval, provided the decision is within its competence; or
 (b) refer it to the competent authority for approval.

(3) If the decision was within the competence of the Standing Committee/ Committees, the Zila Parishad will merely note it for information and may not question it.

(4) If the decision required the orders of the Zila Parishad or any higher authority, it shall be considered in accordance with the Rules of Business and decided, if the matter is within the competence of the Zila Parishad. Where the matter is one requiring the orders of the higher authority, it shall be referred to such authority with such recommendations as the Zila Parishad may deem necessary to make.

(5) Where the Zila Parishad does not set aside a decision on any of the grounds stated at (1) above, it shall be the duty of the Secretary of the Zila Parishad, to forward immediately, a copy of the proceeding to the Deputy Commissioner for such action as the latter may deem necessary under section 102 of the Act.

23. Notwithstanding anything contained in these bye-laws in cases of emergency the Chairman of Zila Parishad, may direct that any matter may be submitted direct to the Zila Parishad, if there is not time for it to be submitted first to the Standing Committee to which it ought ordinarily to be submitted under the provision of these bye-laws.

24. Where a Member of a Standing Committee other than its Chairman fails to attend four consecutive meetings of the Committee, he shall cease to be a Member and the matter shall be referred to the Zila Parishad at its next earliest meeting.

The Zila Parishad may either restore membership, if the Member in question had any good reason for his absence or appoint another Member in his place.

POWERS AND FUNCTIONS OF STANDING COMMITTEES OF ZILA PARISHAD

Powers and functions to be exercised/ performed	Remarks
1	2
<i>Serial Number and Standing Committee/Committees.—1. Standing Committee I for Finance and Taxation.</i>	
1. Creation of posts.	
2. Review of staff position in the Zila Parishad.	
3. To approve proposals by Panchayat Samitis for creation of posts borne on the Zila Parishad Cadre.	
4. Preparation of Budget.	
5. Preparation of Revised or Supplementary Budget.	
6. Maintenance of accounts of receipts and expenditure for every financial year.	
7. Maintenance of accounts and submission of statements.	

8. To scrutinise and finalise the budgets of Panchayat Samitis before submission to Zila Parishad for approval.
9. The integration in consultation with Standing Committees II and III of Block Development Plans into the District Development Plan before the latter is submitted to Zila Parishad for approval.
10. To give financial sanction, within the limits laid down in the relevant rules, to schemes approved by the other Standing Committees, provided the necessary provision exists in the budget.
11. To consider proposals for contributions from the funds of Panchayat Samitis in the district before such proposals are submitted to the Zila Parishad for approval.
12. To decide the extent of financial assistance, required by Panchayat Samities for the execution of Development Schemes entrusted to them by the Zila Parishad.
13. To study the financial implications of schemes to be undertaken by the Zila Parishad on behalf of one or more Panchayat Samitis and to recommend to the Zila Parishad the nature and extent of financial contribution to be made by the Samitis concerned.
14. To scrutinise taxation proposals made by Panchayat Samitis under section 65 of the Act before they are submitted to the Zila Parishad for approval.
15. To advise the Zila Parishad on the Samitiwise allocation of funds provided for schemes to be executed by Panchayat Samitis before the Zila Parishad makes its recommendations to Government.
16. Such other powers and functions as the Zila Parishad may assign to it from time to time.

Serial Number and Standing Committee/Committees.—2. Standing Committee II for (1) Agricultural Production, (2) Animal Husbandry, (3) Minor Irrigation, (4) Power, (5) Communication, (6) Works.

1. To consider and approve, with or without modifications, the schemes prepared by the officers concerned in respect of the subjects assigned to the Committee in column 2, at district level.
2. To sanction schemes relating to the subjects assigned provided the amount involved is within the Committee's competence and there is the necessary budget provision.
3. To supervise the implementation of all schemes relating to the subjects assigned to the Committee.
4. To mobilise man-power resources and to raise funds through voluntary contributions for the execution of schemes relating to the subjects assigned at district level.
5. To supervise and assist the execution of schemes relating to the subjects assigned and which have been entrusted to Panchayat Samitis by the Zila Parishad for implementation.
6. To decide which of the schemes relating to subjects assigned may be entrusted to Panchayat Samitis.
7. To advise, supervise and co-ordinate the functions of Panchayat Samitis in respect of the subjects assigned.
8. To scrutinise and advise on proposals for the undertaking by the Zila Parishad of schemes relating to assigned subjects on behalf of one or more Panchayat Samitis before such schemes are submitted to the Zila Parishad for approval.
9. To supervise the execution of schemes relating to assigned subjects, which have been undertaken by the Zila Parishad on behalf of one or more Panchayat Samitis.
10. To formulate proposals for the levy of contribution from Panchayat Samitis for the execution, on their behalf of schemes by the Zila Parishad.
11. Such other powers and functions as may be assigned to it from time to time by the Zila Parishad.

Serial number and Standing Committee/Committees.—3. Standing Committee III for (1) Education, (2) Social Welfare, (3) Public Health and Sanitation, (4) Rural Water Supply, (5) Village Industries, (6) Co-operation, and (7) Housing.

1. To consider and approve, with or without modifications, the schemes prepared by the officers concerned in respect of the subjects assigned to the Committee in column 2 at district level.
2. To sanction schemes relating to the subjects assigned, provided the schemes are within the competence of the Committee and there is the necessary budget provision.
3. To supervise the implementation of all schemes relating to the subjects assigned to the Committee.
4. To mobilise man-power resources and raise funds through voluntary contributions for the execution of schemes relating to the subjects assigned at district level.
5. To supervise and assist the execution of schemes relating to the subjects assigned and which have been entrusted to Panchayat Samitis by the Zila Parishad for implementation.
6. To decide which of the schemes relating to subjects assigned may be entrusted to Panchayat Samitis.
7. To advise, supervise and co-ordinate the functions of the Panchayat Samitis relating to subjects assigned and to secure the execution of plans, projects, schemes or other works common to two or more Panchayat Samitis.
8. Such other powers and functions as may be assigned to it from time to time by the Zila Parishad.

Serial number and Standing Committee/Committees.—4. Jointly by Standing Committees I and II.

1. To sanction schemes relating to subjects assigned to Standing Committee No. II and which are beyond the competence of Standing Committee No. II, provided that—
(a) the scheme is within the competence of the Zila Parishad; and (b) the necessary budget provision exists.
2. To consider schemes relating to subjects assigned to Standing Committee No. II and which are beyond the Zila

In case the two Committees do not agree, the scheme will be submitted to the Zila Parishad for decision.

Such schemes will first be considered jointly by Standing Committees

Parishad's competence and required the sanction of the Government, before the schemes are submitted to the Zilla Parishad.

I and II and then placed before the Zila Parishad with the comments of Standing Committee No. I. If the Zila Parishad approves the scheme it shall be forwarded to the authority competent to give sanction.

Serial number and Standing Committee/Committees.—5. Jointly by Standing Committees I and III.

1. To sanction schemes relating to subjects assigned to Standing Committee No. III and which are beyond the competence of Standing Committee No. III, provided that:-

(a) the scheme is within the competence of the Zilla Parishad;

(b) the necessary budget provision exists.

2. To consider schemes relating to subjects assigned to Standing Committee No. III and which are beyond the Zilla Parishad's competence and required the sanction of the Government, before the schemes are submitted to the Zilla Parishad.

In case the two committees do not agree the scheme will be submitted to the Zila Parishad for decision.

Such schemes will first be considered jointly by Standing Committees I and III and then placed before the Zila Parishad with the comments of Standing Committee No. I. If the Zila Parishad approves the scheme, it shall be forwarded to the authority competent to give sanction.

Serial number and Standing Committee/Committees.—6. Common to all Standing Committees.

1. Such powers and functions of district boards in respect of subjects assigned to the Committee concerned as have been entrusted by Government to the Zilla Parishad and which the latter may delegate to the Standing Committees.

2. To call for documents, reports and such other information as the Committee may require in respect of the subject assigned to it.

3. To call for information relating to the subjects assigned to the Committee from village officers.

4. To make bye-laws.

The requisition will be made to the Secretary of the Zila Parishad.

5. Power to entrust any scheme relating to subjects assigned to the Committees to Panchayat Samitis for implementation.
6. The power to call officer to attend meeting in the manner laid down in section 38 (1) of the Act.

Serial number and Standing Committee/Committees.—7. Jointly by all the three Standing Committees.

1. Preparation and approval of the District Development Plan.
2. Co-ordination of schemes relating to subjects assigned to the three Standing Committees.

Each Committee will first approve the schemes relating to subjects assigned to them and all these schemes will then be considered at a joint sitting and integrated into the District Development Plan.

TEJ SINGH,
Chairman,
Zila Parishad, Kulu.